REMARKS

Applicant has withdrawn the pending application from Appeal and filed a Request for Continued Examination. This Amendment is responsive to the Advisory Action mailed August 9, 2005. Applicants have amended claims 1, 7, 12, 19, 29, 34 and 50. Claims 1-43 and 50-53 remain pending, with claims 44-49 previously withdrawn in response to a restriction requirement.

Claim Rejection Under 35 U.S.C. § 102

In the Final Office Action, the Examiner rejected claims 1-43 and 50-53 under 35 U.S.C. 102(e) as being anticipated by Blair (USPN 6,778,495). Applicants respectfully traverse the rejection to the extent applicable to the amended claims. Blair fails to disclose each and every feature of the claimed invention, as required by 35 U.S.C. 102(e), and provides no teaching that would have suggested the desirability of modification to include such features.

Applicants have amended the claims to clarify that, in certain embodiments of the invention, the router views the multi-link server card as a destination within a network. For example, the router receives packets (or blocks) from a plurality of links and then routes (i.e., performs a first routing operation) to determine a destination for the packets in accordance with routing information representative of the computer network. In this case, the multi-link service card may be viewed as a virtual "destination" in that the router forwards the packets to the multi-link service card in accordance with the routing information as if the service card were a destination on the network. After sequencing the packets (or blocks), the multi-link service card reverses the data flow and injects the sequenced packets back into the router for routing to a second destination (i.e., performing a second routing operation), which may be an external "real" destination on the network or another multi-link service card for further processing. This process is described throughout the application, including the following replicated portion:

> *Routing control unit 14 routes inbound packets received from a port 18 to an appropriate outbound port 18 in accordance with routing information stored in routing table 24. In one embodiment, control unit 50 may comprise routing engine 22 and forwarding engine 20. Routing engine 22 maintains routing information within routing*

> *table 24 to represent a network topology. Forwarding engine 20 analyzes routing table 24 prior to receiving packets and pre-selects routes to be used when forwarding packets. Forwarding engine 20 stores the selected routes in forwarding table 21. Upon receiving an inbound packet, forwarding engine 20 examines information within the packet to identify the destination of the packet. Based on the destination, forwarding engine 20 selects an available route and forwards the packet to one of the IFC's 16.*
>
> *In accordance with the invention, router 14 may include one or more service cards such as multi-link service cards (MLSC) 25A-25N. Each MLSC 25 facilitates the sequencing of data blocks, such as packets or fragments, that are received from a source via a multi-link connection. In addition, each MLSC 25 may facilitate fragmentation so that outgoing data blocks can be fragmented and sent over multiple links. ...*
>
> *When a fragment is received from a multi-link source in one or more inbound ports 18, routing control unit 50 examines header information within the fragment identifying the fragment as coming from a multi-link source, and identifies the destination of the fragment as MLSC 25. Routing control unit 50 adds header information to the fragment that will be used by MLSC 25, and forwards the fragment to MLSC 25. In this manner, a collection of fragments that make up a packet are forwarded to the same MLSC 25. MLSC 25 sequences the fragments and assembles the fragments into a sequenced packet. Once sequenced, the packet is forwarded from MLSC 25 back to routing control unit 50. Upon receiving an inbound packet, routing control unit 50 identifies the destination of the packet to determine a route, determines the port associated with the route, adds appropriate header information to the packet, and forwards the packet to the appropriate port.*[1]

As another example, the present application describes an embodiment in which the router views the multi-link service card as a "virtual port:"

> *The router may include a number of interface cards (IFCs). The MLSC may be viewed by the router in the same way as the other IFCs. For this reason, the MLSC can be viewed as a virtual port of the router. The router may send data blocks to the virtual*

[1] Present application at pg. 7, ln. 21 – pg. 8, ln. 26.

port and may receive data blocks from the virtual port. The virtual port may perform tasks that facilitate multi-link capabilities in the router.[2]

Blair fails to teach any such features. For example, with respect to claim 1, Blair fails to teach or suggest prior to sequencing the data packets, performing a first routing operation to forward the data packets from the interface cards to a multi-link service card in accordance with routing information that reflects a topology of a computer network, wherein the routing information identifies the multi-link service card as a destination for the data packets. In addition, Blair fails to teach or suggest performing a second routing operation in accordance with the routing information to forward the sequenced data packets to the interface cards for communication over the computer network, as further required by claim 1.

Blair describes only the general proposition that data sent over multiple links are segmented by a decoder. There is no teaching or suggestion that a router performs a routing operation in accordance with routing information to forward packets from an interface card to a multi-service card. One cited portions of Blair merely states "[a] decoder, coupled to the link interfaces, segregates the received fragments from the received packets for the delay-sensitive flows." There is no teaching or suggestion to use a separate multi-link service card to perform sequencing of data packets at all, let alone performing *a routing operation* in accordance with routing information to send packets to a multi-link service card as a destination on a network. Similarly, Blair provides not teaching or suggestion of performing *a second routing operation* to send sequenced packets back to the interface cards from the multi-link service card.

[2] Id at pg. 3, ln. 28 – pg. 3, ln. 2.

CONCLUSION

In order to support an anticipation rejection under 35 U.S.C. 102(e), it is well established that a prior art reference must disclose each and every element of a claim. This well known rule of law is commonly referred to as the "all-elements rule."[3] If a prior art reference fails to disclose any element of a claim, then rejection under 35 U.S.C. 102(e) is improper.[4]

Blair fails to disclose each and every limitation set forth in claims 1-43 and 50-53. For at least these reasons, the Examiner has failed to establish a prima facie case for anticipation of Applicants' claims 1-43 and 50-53 under 35 U.S.C. 102(e). Withdrawal of this rejection is requested.

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date: December 9, 2005

By: Kent J. Sieffert

SHUMAKER & SIEFFERT, P.A.
8425 Seasons Parkway, Suite 105
St. Paul, Minnesota 55125
Telephone: 651.735.1100
Facsimile: 651.735.1102

Name: Kent J. Sieffert
Reg. No.: 41,312

---

[3] *See Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 USPQ 81 (CAFC 1986) ("[I]t is axiomatic that for prior art to anticipate under 102 it has to meet every element of the claimed invention.").

[4] *Id*; *see also Lewmar Marine, Inc. v. Barient, Inc.* 827 F.2d 744, 3 USPQ2d 1766 (CAFC 1987); *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (CAFC 1990); *C.R. Bard, Inc. v. MP Systems, Inc.*, 157 F.3d 1340, 48 USPQ2d 1225 (CAFC 1998); *Oney v. Ratliff*, 182 F.3d 893, 51 USPQ2d 1697 (CAFC 1999); *Apple Computer, Inc. v. Articulate Systems, Inc.*, 234 F.3d 14, 57 USPQ2d 1057 (CAFC 2000).